

34

Submission for

ANAP Docket 30109



THOMAS DUANE
SENATOR, 27TH DISTRICT
RANKING MINORITY MEMBER
CRIME VICTIMS, CRIME & CORRECTION

COMMITTEES:
ALCOHOLISM & DRUG ABUSE
CIVIL SERVICE & PENSIONS
CODES
ELECTIONS
ENERGY & TELECOMMUNICATIONS
JUDICIARY
TOURISM, RECREATION &
SPORTS DEVELOPMENT

Jane Garvey, Administrator
Nicholas G. Garauis, Chief Counsel
Federal Aviation Authority (FAA)
800 Independence Avenue SW
Washington, D.C. 20591

THE SENATE
STATE OF NEW YORK
ALBANY

PLEASE RESPOND TO:
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FAX (212) 414-2156

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LEGISLATIVE OFFICE BUILDING
ALBANY, NEW YORK 12247
PHONE (518) 455-2451
FAX (518) 426-6846

July 19, 2000

re: Docket No. 30086

Dear Ms. Garvey and Mr. Garaufis:

I write to request a two month extension on the published deadline of July 24, 2000 for the submission of public comments regarding the study to identify recommendations for the reduction of the effects of nonmilitary helicopter noise in densely populated areas of the continental United States (as required by Section 747 of the FAA Authorization Act of 2000). Notice of this call for public comment by the FAA and its deadline were made solely by publication in the Federal Register in late June. This is completely insufficient notice, as I and by far most individuals, elected officials, scientists, health care professionals, sociologists, and community organizations who are deeply concerned about this issue were completely unaware of this publication by the FAA, which beyond being poorly publicized only gave a one month period for comment in the middle of summer. In order for even a shred of the integrity of this process to be preserved and any meaningful comment be gathered, the FAA must extend this deadline and vastly expand the means by which notification of this opportunity for comment is made, and such notification must be done in a timely manner.

However, as the deadline within which you are currently prepared to receive comment fast approaches and I do not wish to risk missing the opportunity to have my comments heard, I will provide such commentary now, even though the incredibly short notice severely hampers my ability to do so in a thorough and complete manner. I hope to hear from you shortly regarding the terms of an extended deadline, so that I and the many others who are interested may actually provide a fully researched response, the formulation of which a more reasonable time frame would allow.

The basic questions raised by the study seems to be what types of helicopters operations cause problems, how can this be addressed through air traffic control procedures, what impact would such procedures have on the various types of operations, and what are recommended solutions. In terms of complaints I as an elected official receive, all types of helicopter operations generate complaints, as all can cause loud and persistent noise which may reach individuals in their homes, in parks, schools, hospitals, or other locations where it is particularly disturbing and inappropriate. That said, there are varying degrees of necessity to various types of helicopter operations, and the negative impacts of those which are absolutely necessary are obviously ones

which the public has to accept as a trade-off for the function they perform. On the other hand, those which are less necessary should have to accept their operation being significantly restricted or even eliminated over densely populated areas such as New York City, as a function of the significantly detrimental impact they have on a particularly large number of people.

The necessity of some types of operations, such as tourist flights, business flights, and news media flights, over densely populated areas and air space like New York City, is highly questionable. However, for any type of operation, if its necessity is deemed substantial enough to require its continued use, certain types of regulations can be employed. Higher minimum altitudes can be established, flight paths can be established significant distances from residential areas, allowable hovering durations can be limited, pooling of news media flights can be required or encouraged, time restrictions for flights, take-offs, and landings can be established, and the implementation noise abatement measures can be required.

All of these regulations must be more closely enforced than current regulations are in order to be effective. Helicopters can be required to bear identification markings which are readable from the ground in order to aid the public in identifying those which violate regulations or in other ways create significant negative impacts. Noise monitoring should be established in residential areas, sensitive zones such as in and around schools, parks, and hospitals, and at heliports. The FAA can also consider increasing the areas of regulated air space over New York City to help address some of these problems and ensure compliance with regulations. The FAA can also consider releasing the Port Authority of New York and New Jersey from the federal grant assurances requirement at the Downtown Manhattan Heliport so that the policy of denying access to tour helicopters which has been established at other New York City heliports can be extended there as well.

Regarding the study which the FAA will conduct on this issue, linking it to the General Accounting Office Study regarding airport noise seems advisable. Careful input from the community and members of the scientific and medical community will be key to its accuracy and success. As the study moves forward, I strongly urge that an Advisory Panel be established consisting of notable noise experts and others who have studied the impact which this problem has, and that similar experts be included throughout the course of the study. For the study to be effective, criteria for measuring the level and impact of helicopter noise different from those used now should be considered, as the existing measure is limited in its effectiveness in reflecting low frequency noise and disturbing, discrete, single-event noises which often characterize helicopter noise.

As New York City is the most densely populated area in the country and has the most densely trafficked air space, it is an ideal location for this study (although by no means the only location in the country in which helicopter noise impacts are a problem or require measures to achieve their abatement). As such, it is also an ideal location for either the trial implementation of new regulations or for the creation of distinct and more highly restrictive regulations regarding helicopter traffic. This study is long overdue and sorely needed, as are the implementation of new regulations to address many of these nagging problems. As a State and former City official, I have experienced a great deal of frustration in dealing with this issue as the authority to regulate air traffic in any meaningful way and therefore to adequately address this problem lies exclusively with the federal government, and particularly the FAA. It is my sincere hope that this study, with an extended public comment period and a fully inclusive advisory board and proper outreach, will begin the process of promulgating and implementing new regulations which can help improve the quality of life for New Yorkers who experience these impacts.

Sincerely,



Thomas K. Duane
State Senator

34B



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

C. VIRGINIA FIELDS
BOROUGH PRESIDENT

RECEIVED
JUL 24 2000

July 24, 2000

Jane F. Garvey, Administrator
Federal Aviation Administration
800 Independence Avenue SW
Washington, D.C. 20591

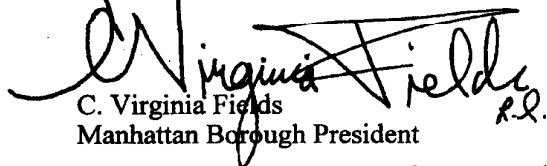
Dear Administrator Garvey:

I am writing to request an extension of the comment period on the effects of nonmilitary helicopter noise on individuals in densely populated areas in the United States. The Administration's notice and request for comments was published in the Federal Register on June 23, 2000 (65FR39220).

Specifically, the comment period should be extended by sixty (60) days until September 24, 2000. A thirty-day comment period is not sufficient to prepare adequate responses to the questions raised in the notice. This is particularly true when comments are solicited from specific populations who may not routinely read, or have access to, the Federal Register. Further, it is my understanding that neither Representative Carolyn Maloney nor Representative Jerrold Nadler of Manhattan was aware of this request until very recently, both of whom worked on the legislation calling for this report.

I, therefore, reiterate my request for a sixty-day extension of the comment period to allow for meaningful input from affected populations and elected officials. Should you or your staff have any questions, Robert R. Kulikowski of my staff will be able to assist you. He may be reached at (212) 669-8164.

Very truly yours,


C. Virginia Fields
Manhattan Borough President

MUNICIPAL BUILDING • 1 CENTRE STREET • NEW YORK, NY 10007
PHONE (212) 669-8300 FAX (212) 669-4305
www.cvirginiafields.com

cc: Hon. Carolyn Maloney
Hon. Jerrold Nadler
Mr. Sandy R. Liu, FAA
Helicopter Noise Coalition of New York City

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e-mail: <http://www.house.gov/writerrep/>
<http://www.house.gov/adamsmith/>

Congress of the United States
House of Representatives
Washington, DC 20515-4709

HOUSE 1013 (90)
COMMITTEE ON ARMED SERVICES
SUBCOMMITTEES:
MILITARY PROCUREMENT
MILITARY READINESS

COMMITTEE ON RESOURCES

SUBCOMMITTEES:
FORESTS AND FOREST HEALTH,
RANKING MEMBER
WATER AND POWER

CONGRESSIONAL INTERNET CAUCUS
NEW DEMOCRAT COALITION

July 21, 2000

Mr. Sandy R. Liu
Noise Division (AEE-100)
Office of Environment and Energy
Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591

34C

Dear Mr. Liu:

I am writing to express my strong disappointment with the Federal Aviation Administration's policies concerning solicitation of public comment. As you may know, the FAA announced in the Federal Register on June 23rd that the public would have thirty days to submit comments to help the agency prepare a report to Congress on the effects of non-military helicopter noise on individuals in densely-populated areas.

Several citizens groups within my district have complained to me that they learned of this announcement from a third party only on July 7th. Despite the fact that these groups have been working directly with the FAA for nearly ten years, it appears that the FAA did little, if any, outreach on this matter to community groups active in aviation matters. By the time my constituents learned about the solicitation, they had only seventeen days to respond.

This compressed time frame was even more problematic given the FAA's strict requirement of physical receipt of comments by mail, on the other side of the country, in triplicate. Such a policy seems very unrealistic, especially for citizens living on the West Coast. Even the Internal Revenue Service accepts correspondence based on the post-marked date. Moreover, the FAA's unwillingness to accept comments submitted by e-mail or fax further limited public involvement in what was intended to be a public process.

I would ask that the FAA reconsider its policies concerning the solicitation of public comments. Specifically, I would ask that the FAA, if it insists on a limited, thirty day public comment period, to:

1. Accept comments submitted by e-mail or fax;
2. Accept comments sent by mail that are post-marked on or before the close of the public comment period; and
3. Better use local FAA administrators to identify citizen groups concerned with aviation matters that may wish to submit public comments.

Page 2

July 21, 2000

It is my hope that the FAA takes these necessary steps so as to allow for realistic public involvement in public policy.

Sincerely,



Adam Smith
Member of Congress

AS: spe

cc: Lawrence Corvari, Regional Commission on Airport Affairs
Kimberly Lockard, Airport Communities Coalition
James Bartlemay, Citizens Against Sea-Tac Expansion

rcaa@accessone.com

CHRISTINE C. QUINN
COUNCIL MEMBER, 9TH DISTRICT

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THE COUNCIL
OF
THE CITY OF NEW YORK

[Handwritten signature]
COMMITTEES
CIVIL SERVICE & LABOR
CONTRACTS
HEALTH
WOMEN'S ISSUES
YOUTH SERVICES

August 8, 2000

Jane Garvey
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Garvey:

As Councilmember for the lower west side of Manhattan, I am writing to express my concern regarding the current scope of the Federal Aviation Administration (FAA) Helicopter Noise Study.

It is my understanding that, as matters stand now, the Helicopter Noise Study may not be as inclusive or comprehensive as it needs to be in order to address the unsustainable noise conditions that currently plague many of my constituents. I am grateful to Congresswoman Carolyn Maloney and Congressman Jerrold Nadler for their leadership in Washington on this issue and their work to secure this study. And I am hopeful that, with critical modifications and additions, the FAA's Helicopter Noise Study can fulfill the mandate and goals of that legislation.

To that end, however, I urge you to take immediate steps to expand its current scope in the following ways:

1. Expand data collection of helicopter noise to include a variety of interior (homes, schools, hospitals, etc...) and exterior environments (parks, heliports, thoroughfare and side streets);
2. Include surveys of individuals affected by helicopter noise: i.e. measure not only the noise itself, but also collect data on its impact on individuals themselves;
3. Make recommendations—both regulatory and legislative—for the reduction of helicopter noise; do not restrict recommendations to FAA Air Traffic Control Procedures;
4. Include a thorough review of the literature on aircraft noise;
5. Collect data on the actual number of helicopters that use our airspace.

With these additions to the current scope of the Helicopter Noise Study, the FAA will provide us all with an important resource as we continue to work to reduce the negative impact that helicopter noise has on communities such as my own. It will represent a critical step forward in remedying this very serious quality of life and public health issue. Thank you for your attention to this important matter.

Sincerely,



Christine C. Quinn
Councilmember

cc: Congressman Jerrold Nadler
Congresswoman Carolyn Maloney
Robert Kulikowski, Office of Manhattan Borough President C. Virginia Fields
Community Board 2
Community Board 4
Community Board 5
Helicopter Noise Coalition

Natalie & Pat
Kater
16149 Otsego St.
Encino, CA
91436

Sunday
July 23, 2000

Office of Chief Counsel
Federal Aviation Administration
800 Independence Ave., S.W.
Washington, DC 20591

OFFICE OF THE
CHIEF COUNSEL
REGULATORY DOCKET

2000 JUL 18 P 4: 01

35

In the matter of : Assessment of non-military
Helicopter Operations for I
Densely-Populated (Helicopter Noise)
Regulatory Docket 3086

Background:

We just found out that the FAA has asked for Public Input/Comment regarding Helicopter Noise. It is our understanding that the FAA asked for residents impacted by non-military helicopters to respond to four questions.

It would have appeared appropriate for those living around airports with helicopters to be notified of this study by a letter or some means that would have reached more people than it has.

Be that as it may, we found out about this study and wanted very much to respond.

However, we think it is important for those who read this to have an understanding of the location of the airport we are concerned about to get a better view of the problem.

We live in the vicinity of the Van Nuys Airport(VNY) in the San Fernando Valley a suburb of Los Angeles, California.

This airport is completely surrounded by bedroom communities and each of the neighborhoods have been adversely effected by this airport since it began operating Helicopter and Jet flights.

It is obvious that neither Helicopters nor Jets should have been allowed to burden the many bedroom communities with the environmental hazard of NOISE POLLUTION!

We have been complaining and waiting for changes to take place for almost 15 years and it is time for ACTION!

With that brief background, let us address the four FAA questions.

Q1. What are the types of helicopter operations that elicit the negative response by individuals in densely populated areas?

A1. First, we have no problem with emergency services, Fire, Police, etc. use of Helicopters out of VNY. These serve a public safety service.

Our concern and those of our neighbors is the noise and vibration resulting from Television, Radio station and Sightseeing Helicopters that don't seem to be able to get to a high enough altitude before they are over homes.

Many of the media helicopters take off as early as 5am and appear to take a direct line to wherever they are headed with no concern for what is on the ground below them. This is also true (not the take-off time) of the sightseeing operators.

We believe that the location of an airport should be the major concern prior to permitting Helicopters and/or Jets to fly from a given airport.

It is obvious that was not even considered in the case of VNY.

It will be very difficult to arrive at a reasonable take-off pattern that will solve the tremendous noise pollution the residents are experiencing here in the San Fernando Valley, so more drastic measures may be required.

Q2. What air traffic control procedures are applicable in addressing helicopter noise reduction? Why?

A2. It is imperative that the FAA establish some noise and flight patterns that are compatible to those of us living on the ground.

It should be pointed out that VNY was not a problem for the residents prior to the advent of Jets and Helicopters — and VNY was still one of, if not the, busiest general aviation airport in the country.

VNY, unfortunately, continues to hold the, disputable honor, “busiest general aviation airport in the country” (or one of the busiest), but now a great deal of that traffic is due to Jets and Helicopters that should never have been allowed at this airport!

If you allow these “noise and vibration machines” to fly out of VNY then the FAA should determine and/or create:

- a. a noise abating altitude these machines must achieve before traveling over any bedroom communities
- b. at least three or four ideal flight patterns to be used (this may be impossible at VNY which would support the elimination of Helicopters at this airport)
- e. how to be sure the pilots adhere to the proscribed flight patterns
- f. a neighborhood compatible limit in terms of numbers of Helicopters allowed to be housed at VNY
- g. a limit as to the number or elimination of Sightseeing Helicopters operating out of VNY
- h. a very strict curfew for the hours Helicopters may operate
- i. a plan for limiting the number of media Helicopters using VNY
- j. a plan for limiting the number of Helicopters that chase after accidents, car chases, etc. PERHAPS A PROGRAM OF SHARING BETWEEN THE TV & RADIO STATIONS COULD SOLVE A NUMBER OF PROBLEMS THROUGHOUT THE U.S.

Why? Because the people on the ground deserve greater consideration than those who fly above us and pollute our air.

Q3. What impacts could restrictive air traffic control procedures have on operation of law enforcement helicopters, electronic news gathering helicopters, sightseeing tour helicopters, emergency medical services and corporate executive helicopters?

A3. Actually restrictive air traffic control procedures would be beneficial to all public service operations such as police, fire and medical, because all other helicopter operations would have very restrictive measures to live up to and therefore not hinder the operations of our safety services which would only be required to fly safely to accomplish their mission.

The other Helicopter operators would, indeed, experience some negative impact depending on what restrictions the FAA comes to grips with.

If the FAA adopts the peoples wishes (which is what should be done) then they will be negatively impacted, but whose rights are we suppose to protect in this society, the privileged few or the larger society?

And how much will they be impacted?

Not as much as the public has been impacted psychologically and economically!

Should the FAA actually realize that the people are right, they can arrive at a Win/Win situation.

The helicopter operations can be moved to more compatible locations and no one would lose their job, the businesses could still operate and make a profit.

The public gets rid of air and sound pollution and the businesses and workers continue as usual, but in other locations suitable for their type of work!

Q4. What are the recommended solutions for reduction of the effects of non-military helicopter noise?

A4. In our humble, but **reasoned** opinion, the FAA has an opportunity to solve the dilemma of the various airports throughout the country by focusing on them individually.

What may be reasonable and correct for one airport and its various communities may not be reasonable and correct for another.

Our concern here is the VNY airport and quite frankly the FAA has an opportunity to finally set the system on a proper and fair direction.

A Win/Win situation, as mentioned previously, that allows all parties to have what they should rightfully have.

VNY, the City, the L.A. Airport Commissioners and the FAA were remiss in their approval of Helicopters and Jets at VNY.

That airport was one of or the busiest general aviation airports in the country before Helicopters and Jets and we are sure that it was doing just fine for the City, monetarily.

The addition of the "noise maker" was a huge mistake for the neighborhoods surrounding this airport.

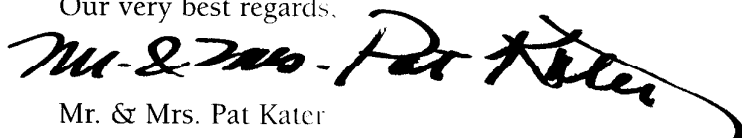
It is time that the FAA, whom we are always told are the ones who make the rules, to step up to the plate and do what is right for the people.

Disperse the sightseeing, media, and private Helicopters to facilities more appropriate for their type of operations.

In the interim, establish some strong guidelines, outlined earlier, that will minimize the effects of the terribly polluting sound on the bedroom communities the Helicopter operations offend everyday!

We are hopeful that this letter is put into the report to Congress and are also hopeful that the FAA will come forward and make rulings that the public can live with and not be biased by the industry they are suppose to control.

Our very best regards,


Mr. & Mrs. Pat Kater



THE CITY COLLEGE
OF
THE CITY UNIVERSITY OF NEW YORK

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET

2000 AUG 22 P 4: 50

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August 17, 2000

Federal Aviation Administration
Office of Chief Counsel
Att: Rules Docket
Docket No. 30086
800 Independence Ave SW
Room 915H
Washington, DC 20591

36

Att: Rules Docket
Docket No. 30086

Dear Sirs:

I am grateful to be able to comment on the problems associated with helicopter traffic and the search for solutions. Thank you for this opportunity. In the light of recent events reported in the media, regulation of all aircraft, their environmental impact, their routes, their maintenance and their density require very close scrutiny. Control of these factors has been relinquished by default by the aircraft operators. The health and safety of aircraft personnel, passengers and people on the ground are at risk.

I shall tailor my comments to the major four questions posed by you.

1. What are the types of helicopters which elicit noise complaints?

The helicopters flying over New York City are (a) emergency service helicopters used by police, fire departments and EMS services, (b) executive helicopters, (c) electronic newsgathering (ENG) helicopters, (d) traffic helicopters, (e) sight-seeing and other tourist service helicopters, (f) military helicopters. All of these helicopters elicit noise complaints because they create the same kind of noise.

Helicopters serve an important role in serving public safety. This is the only purpose for which they are justified. All other helicopter activity serves special interests in conflict with the public good. My remarks will apply to non-military helicopters.

2. What air control procedures are applicable in addressing helicopter noise?

Helicopters should maintain an altitude above 1500 ft. Hovering time should be limited or eliminated, to minimize the intensity of sound in any one area. Higher altitude flying should be resumed immediately after completion of a specific task. All

Convent Avenue at 138th Street, New York, NY 10031

helicopter flights should be routed away from inhabited areas wherever possible. New York City, for one, is surrounded by waterways.

ENG flights should only be used for responses to specific incidents and not for the purpose of "searching" for stories. Permission for a flight should be restricted to investigation of a story in progress. One helicopter should cover a story for all news services. This will prevent the accumulation of many helicopters over a small area which intensifies noise and air pollution and increases the likelihood of an accident.

Sightseeing helicopter traffic should be restricted exclusively to altitudes over 1500 ft and only along the center of wide rivers. These tourist flights are a serious contributor to interference with essential public safety services. The frequency of these flights should be strictly monitored.

Corporate helicopters should fly above 1500 feet and not fly over land. Night and weekend flights should be prohibited. The flight path should adhere to the most direct route to their destinations over approved helicopter routes.

3. What impact would restrictive air traffic control procedures have on the operation of law enforcement, electronic newsgathering, EMS, corporate travel and sightseeing?

The proliferation of helicopter flights of all kinds actually interferes with essential helicopter services provided by police, fire departments and EMS in emergency situations. They make delivering these essential services unnecessarily hazardous.

Traffic information is best accumulated, not by noisy, fuel-guzzling, air-polluting helicopters, but by stationary, noiseless, energy-conserving JAMCAMS. The services which use them now produce the same quality or better quality information than helicopter surveillance. The George Washington Bridge, the Cross Bronx Expressway, the Holland and Lincoln tunnels are not moving. In fact it is obvious that JAMCAMS give information in areas where helicopters cannot go.

Pooling newsgathering to minimize the number of news helicopters in the air is an important measure, not only to minimize noise, but to cut down on air pollution and collision frequency.

Regulating the routing, flying altitude and density of helicopter traffic as mentioned above will make all aircraft routes safer for the passengers and for people on the ground. Routing should be over water and not over residential areas.

4. What are recommended solutions for reduction of the effects of non-military helicopter traffic?

Ground-based restrictions on operation of heliports should be expanded. There should be strict noise abatement procedures for takeoffs and landings. Helicopter identification should be readable from the ground so that the sources of noise can be identified.

Mandate Stage Four aircraft only.

Noise should not be measured as an average, but in the manner in which it impacts the population; as individual events of high intensity albeit some of short duration. Also low frequency noise should be measured and monitored in this manner.

FAA should increase the regulated air space to include rivers and Southern Manhattan.

FAA should release New York City from the grant assurance requirements of open access at the downtown Manhattan heliport until 2007 so that the City can ban tourist helicopters from taking off there.

The airport aviation study of the GAO should be coordinated with the deliberations of the FAA.

New York City has never measured the magnitude of helicopter traffic in its airspace. The FAA should work with local Government, Community Advisory Councils and citizens who are familiar with the issues of helicopter noise, to create definite routes. Noise contour maps based on noise monitoring at home, parks, business areas and heliport should be designed.

A pilot study of the impact of helicopter noise in New York City on the people subjected to it, should be conducted, by knowledgeable people, such as Dr. Arline Bronzaft, Gary Evans and Norall Stewart and others.

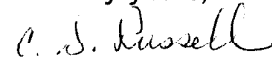
The FAA should collaborate with the EPA in its mandate to assess the environmental impact, including air and noise pollution, derived from aircraft traffic.

It should be the goal of FAA to allow only EMS, Police and Fire Department helicopters into New York air space and only in emergency situations.

No small planes, tiltrotors, seaplanes, commuter props and helicopters should be allowed to fly over heavily populated residential areas.

A major catastrophe is waiting to happen. There are too many aircraft and too many unregulated flights.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "C. S. Russell".

C. S. Russell, Ph.D.

P.S. Please put me on your mailing list so I may be notified of hearings on these subjects. I will also post such notices on our neighborhood bulletin board.

IRWIN FRUCHTMAN P.E.
2525 WEST 2nd STREET(2H)
BROOKLYN, N.Y. 11223

Federal Aviation Administration
Office of Chief Counsel,
Attention: Rules Docket, Docket # 30086
800 Independence Avenue, SW.,
Room 915H
Washington, DC 20591

August 20, 2000

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
AUG 23 P 2:49

LC 36A

Dear Counsel,

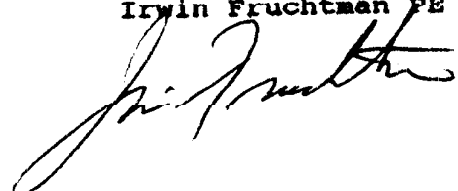
As an experienced professional in the fields dealing with the design and building in the urban environment, as well as the related public safety field, I submit these comments for your consideration on the matter of Nonmilitary Helicopter Noise on Individuals in Densely Populated Areas:

I have no problem in studying these affects of Regularly Scheduled Helicopter Commercial Flights over residential and commercial areas in urban areas. However, when emergency conditions occur due to fire or any other disaster condition, special exemptions must be made by the emergency response team, to restrictions that might restrict their actions, and the use of helicopters to assist the response.

Helipads should be MANDATED on rooftops of commercial, residential or even industrial buildings where large numbers of people might be residing, working or visiting. Their use would be stricly limited to use in serious emergencies to agencies that deal with fires, blasts from liquid gases or detonation devices, or any other catastrophies.

I believe that in conjunction with the noise, the above matter is equally or even more important. Thank you.

Sincerely,
Irwin Fruchtmann PE



RECEIVED
OFFICE OF RULEMAKING
2000 AUG 24 A 11:21

Richard Zoch
111 Hicks St #22c
Brooklyn N.Y 11201

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
2000 AUG 22 P 4: 46

37

Federal Aviation Administration
Office of Chief Counsel
Attn: Rules Docket, Docket No. 30086
800 Independence Ave, SW room 915H
Washington, DC 20591

August 17, 2000

Dear Sirs,

My wife and I live in Brooklyn Heights, an Historic District comparable to Georgetown in Washington. We are across the East River from the Wall Street Heliport in New York City. We are approximately $\frac{3}{4}$ of a mile away from the heliport. I understand the FAA needs detailed descriptions of helicopter noise occurrences for the study on the community impact of helicopter noise. To do this in detail would fill a book since we are constantly bombarded with the excessive noise from helicopters landing and taking off from the heliport, flyovers, hovering for so-called "news reporting" (e.g., a stalled car is "news"?), or hovering for scenic picture taking. The noise starts as early as 5:30 A.M. and lasts continuously until about 7:00 P.M. and often after dark.

Some examples of frequent occurrences are:

Flyovers- Large, commuter type helicopters connecting between Newark Airport and Laguardia Airport flying as low as 100 feet directly above our 30-story building. They are not only noisy but instill fear. The noise is such that we fear they are going to hit our building.

Sightseeing- Flights one after the other landing and taking off from the Wall Street Heliport. They do not shut their engines down between flights.

Hovering- Media helicopter photoing a sunrise or sunset as well as stalled cars, etc. Photography helicopters hovering for up to an hour trying to get the right shot. Some of these are at 9:00 or 10:00 P.M. trying to photograph the lit up Manhattan skyline.

Commuting- Executives who commute to and from work by helicopter using the Wall Street Heliport. These noisy helicopters range from medium size to very large. Many do not shut their engines down waiting for their passengers.

Bad weather Flying- Imagine a 200-foot ceiling, visibility no more than ¼ mile, speed in excess of 100 knots. My wife and I hold private pilot certificates. We know that it is dangerous to fly that way.

Circling- A jumper on the nearby Brooklyn Bridge. Police ground forces have everything under control. The police helicopter serves no useful purpose but continues to circle.

The impact of the helicopter noise on the neighborhood is windows rattled, face to face and telephone conversations drowned out, TV drowned out, reading and other activities interrupted. It is certainly affecting our health- both physical and mental. They are destroying this once quiet, historic neighborhood. This is unacceptable.

Heliports and helicopters have no place in a heavily populated area. The only solutions are that heliports should be closed and helicopters routed around the populated areas and high above other areas.

Yours Truly,

A handwritten signature in cursive script, appearing to read 'R.J. Zoch', with a long horizontal flourish extending from the end.

R.J. Zoch

F A X

37A

To: Mr.Sandy Liu, FAA.
Company:
Fax number: +1 (202) 267-5594
Business phone:

From: Gilbert Rolle
Fax number: +1 (415) 643-5765
Business phone:
Home phone:

Date & Time: 09/11/2000 1:48:19 PM
Pages: 3
Re: Helicopters noise,pollution and security hazards in NYCity

Please forbid disruptive helicopters in residential areas.
Concerns: FAA
Rules docket No 30086

Gilbert-Michel Rolle
346 West 22nd street #2
New York, NY, 10011

New York, September 9, 2000.

Attention FAA
Rules Docket No.30086.

To whom it may concern,

I would like to voice my objection about the way that the Federal Aviation Administration conducted its study of helicopter's impact in New York City. Being a Manhattan resident, I have first hand knowledge about the terribly disruptive noise, pollution and safety hazards generated by the helicopter industry in New York City. It is positively impossible to take a walk in Battery Park, Central Park, Riverside Park or other outdoors locations without being disturbed by hovering helicopters. This spoils any outdoor activity and induces stress. But far worse is to be awakened at night or early in the morning by these aggressive and noisy aircraft. I hope that you will strictly forbid helicopters flying in residential areas so that citizens are allowed an environment undisturbed by helicopters noise and pollution.

The FAA asks the public what type of helicopters disturbs them. It is a ridiculous question since all the helicopters --news, tour, corporate, commercial and police-- are disruptive. Should we run on the roof of the building in the middle of the night to try to identify the type of helicopter? That would not be necessary if helicopters of all types were banned from residential neighborhoods. They are already forbidden in major cities like London and Paris. Are we less sensitive to noise, security and environmental pollution in this country? Does the FAA put the needs of the business elite above the quality of life of millions of citizens? Is the voice of the Helicopter Industry and their lobbyist that powerful?

Sincerely yours,

Gilbert Rolle



OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET

The Exclusive Airborne Healthcare Company...Since 1980

2000 SEP 14 P 1:07

37B

September 13, 2000

Air Methods Corporation
Denver/Centennial Airport
NASDAQ/NMS: AIRM

Federal Aviation Administration
Office of the Chief Counsel
Attn: Rules Docket, Docket No. 30086
800 Independence Avenue, SW
Washington, DC 20591

Re: Docket No. 30086, Notice and Request for Comments on "Report to Congress on Effects of Nonmilitary Helicopter Noise on Individuals in Densely Populated Areas in the Continental United States"

Dear Administrator Garvey:

Air Methods Corporation appreciates the opportunity to respond to the Federal Aviation Administration's request for comments related to the agency's congressionally-mandated study on the effects of nonmilitary noise on individuals in densely populated areas in the continental United States.

Air Methods Corporation is the largest publicly held exclusive provider of emergency medical transportation systems and services to hospitals in the United States. Together with our subsidiary air ambulance companies Mercy Air and ARCH Air Medical Service, we have flown over 200,000 air medical missions and serve more than 40 hospitals across the country. The company's fleet includes more than 60 aircraft, predominantly helicopters, and we employ approximately 200 commercial and airline transport rated pilots and 96 airframe and powerplant mechanics. Air Methods also designs and manufactures state-of-the-art medical interiors and other aviation products for civilian and government applications, both domestically and internationally.

Because of our extensive network of community-based operations, we have an appreciation for local community perceptions of emergency medical services ("EMS") helicopter operations. In light of this experience and our understanding of air ambulance operational needs, we offer a general comment on the scope of the study and specific comments on two of the four questions that you have posed in your June 23, 2000, Federal Register Notice.

General Comment

As indicated by the questions posed in the notice, any meaningful examination by the FAA of the impact of helicopter noise on individuals in densely populated areas must take into account the

relationship between noise perception and knowledge of a helicopter's mission. In our experience, individuals are willing to accommodate noise generated by helicopters engaged in EMS missions. We suggest that one question to be considered by the FAA is how best to enable the public to identify a helicopter engaged in an EMS mission.

Further, the parameters defined by Congress for this study of helicopter noise exclude military helicopters, but include, in addition to civil helicopters, all other helicopters operated as public aircraft under 49 USC 40102(a)(37). It is important for the agency to take into account, in many parts of the country, that both public agencies and commercial operators engage in EMS operations. Public agencies often utilize older, non-certificated, surplus military helicopters that generate higher levels of noise. As such, the FAA should take note in its study of the possible discrepancy in equipment noise levels between public and commercial operators within the category of EMS helicopter operations.

Comment on Question 3: "What impacts could restrictive air traffic control procedures have on operations of . . . Emergency medical services (EMS) helicopters?"

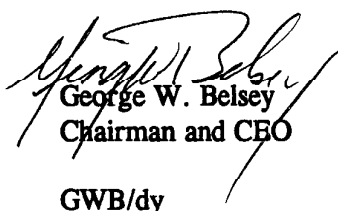
We urge the FAA to acknowledge in its study the unique role of air ambulance services in the air transportation system. The importance of air ambulance flights devoted to urgent transport of critically ill or injured people undergoing medical assistance is currently recognized by their ATC priority status. This priority helps to ensure the rapid and safe transport of patients, a goal supported by every community in the country. Any examination of restrictive air traffic control procedures on helicopter operations for noise mitigation purposes should continue to recognize the vital role of air ambulance flights by exempting them from any altitude restrictions or special routings that would impair or lengthen their time-critical missions.

Comment on Question 4. "What are the recommended solutions for reduction of the effects of nonmilitary helicopter noise?"

We would support the establishment of flexible ATC procedures to encourage flyover heights of 1000 to 2000 feet AGL over densely populated areas so long as air ambulance flights are exempted, as discussed. However, we would have no difficulty adhering to such procedures when our helicopters are engaged in non-patient related activities, such as public relations or maintenance.

Again, we appreciate this opportunity to respond to your request for information.

Sincerely,


George W. Belsey
Chairman and CEO

GWB/dy

38

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
2000 SEP 25 P 3:04

Michael J. Fabrikant and Carol Dallos
124 West 79th St
New York, NY 10024

September 20, 2000

FAA, Office of Chief Counsel
Attn: Rules Docket No. 30086
800 Independence Ave S.W., Room 915H
Washington, D.C. 20591

Dear FAA;

We live on the West side of Manhattan and are disturbed regularly by helicopter noise.

The sound caused by a hovering helicopter is most offensive. Usually we are unable to connect the hovering helicopter to anything on the ground. Rarely can we imagine how the hovering helicopter can make a constructive contribution to anything except private commercial interests. One Thanksgiving morning we were waked at 6 AM by a hovering helicopter, but there were no police or fire sirens that would have suggested a ground emergency. What right did the pilot have to disturb thousands of sleeping people?

We think the rules for helicopter flights over New York City should be: never, unless there is a police/fire emergency (and that emergency should be verifiable by anyone who calls the local police precinct).

Please consider the interests of the people who live here when you update regulations for helicopter flying in New York City, and remember that this city functioned very effectively before helicopters were invented.

Sincerely,

Michael J. Fabrikant
Michael J. Fabrikant

Carol Dallos
Carol Dallos

39

505 La Guardia Place, Apt. 26C
New York, N. Y. 10012-2005
September 19, 2000

Federal Aviation Administration
Office of Chief Counsel
Attention: Rules Docket, Docket No. 30086
800 Independence Avenue S.W., Room 915H
Washington, D. C. 20591

Re: FAA Report to Congress on Effects of Nonmilitary
Helicopter Noise on Individuals in Densely Populated
Areas in the Continental United States

Gentlemen:

As a resident of the densely populated island of Manhattan, I am adversely affected by helicopter noise on a daily basis. I am writing to express my disappointment with the FAA design of the national study on helicopter noise community impacts, as follows:

- . Helicopter noise was measured at only two Manhattan locations.

- . No public hearings were held, thus denying individuals and communities the opportunity to comment upon the negative effects of helicopter noise they have experienced.

Here are some of my specific complaints regarding helicopter noise and safety:

- . When helicopters fly overhead, the noise is often intolerable because they fly too low. Even with my windows closed, the clattering helicopter noise makes it impossible to relax, carry on a conversation, or listen to music.

- . I live on the 26th floor of a tall apartment building (allowing 10 feet per floor, my apartment is approximately 260 feet from the ground). Several years ago I was startled by the loudest helicopter noise I had ever heard. When I looked out my window, I saw a television news helicopter flying at the same altitude as my window and not too far away. There are seven tall buildings in close proximity in my area, and I could not fathom why the helicopter was flying between the buildings at such a precariously low altitude. After making a number of phone calls, I learned to my horror that there are no minimum altitude regulations for helicopters. I also

(continued)

2000 SEP 25 PM 3:03

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET

found out that airspace in southern Manhattan, where I live, is not regulated or monitored. Both these issues need to be remedied.

- . Sometimes helicopters hover over an area for a half-hour or longer, intensifying the damage to one's hearing and quality of life.

The types of helicopter operations visible and audible in my community are:

- . Electronic news gathering (the instance noted above concerned a helicopter easily identifiable from my window as Chopper 4 (NBC Channel 4), which was flying to Washington Square Park to photograph a snowfall).

- . Law enforcement (New York City Police Department, whose helicopters also fly below the roof level of apartment buildings).

- . Filming for commercials, movies, documentaries (some of these also fly below roof level and, according to Mayor Giuliani's office, fly without a city permit).

- . Sightseeing tours.

As for solutions to these problems, I would strongly urge consideration of the following:

- . Requiring minimum altitude for helicopters, as well as restrictions on hovering.

- . Prohibiting flight paths over residential neighborhoods.

- . Regulating and monitoring all airspace in New York City, including southern Manhattan and East River and Hudson River corridors.

- . Encouraging pooling for TV newscopters.

- . Reopening the EPA Office of Noise Abatement.

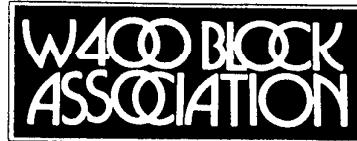
- . Working towards the elimination of tour helicopters.

Thank you for your cooperation in helping to achieve these goals. Please remember that we are entitled to safety and peace of mind in our communities.

Very truly yours,

Sylvia Locker
Sylvia Locker

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET



Twenty-first / Twenty-second / Twenty-third Streets

2000 SEP 25 P 3:00

444 W. 22nd St.
New York, New York 10011

Sept. 22, 2000

410

2000 SEP 25 P 3:00

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET

FAA
Office of Chief Counsel
Attn: Rules Docket, Docket No. 30086
800 Independence Ave. SW, Rm. 915H
Washington, DC 20591

Dear FAA Office of Chief Council,

Our New York City block association of 170 households on the Hudson River is writing to comment on the FAA's national study on helicopter noise community impacts. We feel the study is inadequate, should be conducted by an independent agency, and that legislation and regulation are urgently needed to adequately address the safety and quality-of-life issues of helicopter use.

Over the past 5 years our community has experienced a dramatic increase in helicopter noise. No meter can adequately register the negative impact the continuous roar of tourist helicopters has on our Hudson River Park shoreline. New Yorkers go there to escape such noise, and tourists have plenty of other ways to experience the city without spoiling our parks in this manner. Tourists helicopters should be legislated out of existence.

Sikorsky commuters continue to roar in at low altitude over our corner playground full of toddlers, ignoring the suggested river route. News copters hover at any hour for as long as they like, disturbing sleep and work. Regulation is necessary to prevent abuse of this sort.

Safety issues must be addressed. A failed engine on a newscopter or Sikorsky commuter could spell disaster over Manhattan. And in our Class B airspace, we have seen helicopters suddenly adjust their hovering height to accommodate low-flying jets over our neighborhood. With an ever-increasing number of low-flying jets on the west side of Manhattan, helicopters should be required to have contact with the control tower and not be allowed in the airspace over our densely populated city (excluding emergency copters). Again, regulation is needed.

In sum, we urge Congress to conduct an independent, in-depth study that incorporates the recommendations of the recent National Resources Defense Council report on helicopter noise impacts. In addition, we urge Congress to adopt the Helicopter Noise Control and Safety Act and the Quiet Communities Act and reopen the EPA Office of Noise Abatement. Finally, we ask the FAA to release New York City from the grant assurance requirement for open access to the Downtown Manhattan heliport so that tour flights can be excluded, as the City wishes.

Sincerely,

Colleen Caron
President

FAA Aviation Noise Abatement Policy Year 2000

DEIRDRE STANFORTH

111

OFFICE OF THE
CHIEF COUNSEL
2000 SEP 25 P 2:56
2000 SEP 25 P 2:56

Dear Sirs:

I am writing to urge you to change your flight paths over Manhattan back to the way they had always been prior to 1996. And please don't tell me that the flight patterns have not been changed, because I have lived in Manhattan since 1947, and I know that air traffic had avoided the city ever since 1944, when a plane crashed into the Empire State Building.

We bought a 19th century brownstone on the Upper West Side in 1966, investing all our savings in what was then considered a slum. After a great deal of hard work on a restoration, starting a block association, and planting trees on our street, we began encouraging other families to buy houses in the neighborhood, and eventually succeeded in persuading the New York Landmarks Commission to designate the Upper West Side a Historic District. Due to this renaissance, a "slum" has become a highly desirable (and expensive) place to live.

Meanwhile, we began to enjoy the fruits of our pioneering labors. Visitors sitting in our quiet rear garden could not believe they were in the midst of New York City. My husband loved taking out-of-towners into the center of Central Park, where skyscrapers were entirely hidden by trees, and nothing but birds could be heard.

None of that is possible any more. I can hardly bear to work in my garden, let alone entertain, or just sit and read the paper there. And I can no longer sleep in my formerly quiet rear bedroom with the windows open. Instead I must seal it off from the outdoors, closing windows, storm windows and lined draperies, and keeping the air conditioner running all night all year round to prevent being awakened by the horrendous roar of jet planes swooping over my house.

As for the Park (or parks), there is no longer any peace and quiet anywhere in a city that badly needs it. And in Central Park (and Lincoln Center, too) where there are wonderful summer concerts and plays out of doors (most of which are free), they are being ruined by the constant din of aircraft drowning out the actors and orchestras.

8 west 83rd street

new york, ny 10024

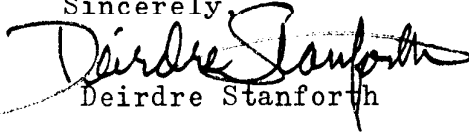
(212) 877-7836

It is not only in my neighborhood, but all over the city; our marvelous "Empire City" being made unlivable, our skies are being appropriated as extensions of the overcrowded runways for take-offs and landings. Indeed, when I try to use my garden, I feel I might just as well be at the airport. And this is happening on the East Side, in Greenwich Village, in Washington Heights, Chicago, and countless other places as well.

In short, your flight patterns are destroying our world-famous city; not only by the dreadful noise, but the inevitable unmeasured air pollution and the ever-present danger of a catastrophic plane crash in the midst of our densely populated streets. Paris doesn't allow it: Neither does Boston. Why should we?

It won't solve anything. It is a well-known fact that the more highways that are built, the more quickly they fill up, and the more are needed. Clearly the same thing is being foreseen with airports, their runways, and their flight paths. Filling our skies with ever more aircraft and destroying our cities with noise and air pollution is not the answer.

Sincerely,

A handwritten signature in cursive script, reading "Deirdre Stanforth". The signature is written in dark ink and is positioned above the printed name.

Deirdre Stanforth

Gregory Latham
PO Box 1060
Puunene, HI 96784

September 17, 2000

Federal Aviation Administration,
Office of the Chief Counsel,
Attention: Rules Docket (AGC-200), Docket No. 27919,
800 Independence Ave., SW, Washington, DC 20591.

RE: SFAR 71 renewal

MY BACKGROUND:

Began Aviation with the US Army Warrant Officer Helicopters Flight Training in 1969
Flying helicopters commercially since 1971 and Touring in Alaska and Maui since 1983.
I have never ran out of fuel, only once took passengers on the wrong tour (okay maybe twice).
Have had to deal with two hydraulic belt failures with full complement of passengers onboard
(somebody really should change the warning horn alert system). I was once investigated by FAA
for flying low at the crater after spotting an aircraft that looked to be in distress, and on occasions
have had two repetitive nightmares:

- 1) hot starting an aircraft that exceeding engine temperatures and
- 2) departing Maui heliport without a clearance from the tower.

My father flew helicopters in the Army and retired after 20-30yrs as CW3. My step-brother flies
test pilot for McDonnell Douglas Helicopters out of Arizona. The mother of my two children
was once the youngest woman helicopter pilot in the Nation (or maybe the world) depending on
who tells the story, and her father flew a helicopter in Seattle at one time in conjunction with his
medical practice.

I have flown in South America: Peru and Argentina, Indonesia, Thailand and Vietnam. I have
spent 10 summer seasons in Alaska doing mineral exploration across the state with TEMSCO, as
well as working with the National Park Service on contract with Kenai Helicopters. I've worked
with ERA on the Valdez oil spill cleanup and flown tours out of Juneau with the cruise ships
passengers. Also spent 4yrs in the Helicopter Logging industry of Northern California and
Southern Oregon prior to coming to Hawaii in 1983. Since 1969 I have had a complain now and
again regarding the music, narration or the lack of scenery from a passenger or two. But I have
never left anyone out overnight, and more importantly never had a death or even a slight injury to
anyone I have ever flown.

I have been doing tours on Maui since the past quarter of 1983. I have flown with Maui
Helicopters, AlexAir, Papillion, Hawaiian Helicopters, and ERA. Since 1996 I have been with
Blue Hawaiian Helicopters. And have seen more and more complexities occurring year after
year. With someone like me (there is only a handful) who has been here since the beginning,
each new procedures, regulations (FAA, SFAR, NPS, State and Navy), company policy or just
somebody saying this is the new way of doing something, has been absorbed a little at a time into
the an Established Touring Maui Safety agenda. But for someone new to the Islands there has
been an acumination of over 20+ years experience that takes more than any Operator's Training
Program could possibly cover successfully in the allotted period.

I have a few suggestions that may or may not be of some help.

As for the FAA:

The FAA or a branch dealing from within could **standardized** the operations specifications and the way a company conducts its helicopter procedures used throughout the helicopter industry. It could relate to their individual types (such as Air Charters, Medical Evacuations, Logging, Mineral exploration, Filming and Touring to standardize what they have been doing safely for years. No POI could come into his new area of responsibility and start making changes from his predecessor. If there are areas that need to be revised or updated to make it better, (and by this I mean less complex and safer) then pass it up the FAA chain of command and make it too standardized.

The FAA could reward the individuals for their suggestions that are incorporated and thus emphasizing the big picture of **Simple and Safe**, instead of them spending vast amounts of time and energy trying to find minor discrepancies to procedures. (I s not dotted, T s not crossed). If a manual for completing certain type of tasks has already been approved by the FAA somewhere in the Nation, then make it available to those who need it, instead of making the operator rewrite one. Not doing so, ensures an increase of workload for both participants in the writing and the approving. Time that could better be spent on making existing conditions less complex, more simplified, and **devoted to enhancing training for the new pilots** who will have to eventually take the reigns from the more experienced who will someday retire.

Accident rates should not increase when Vietnam Veterans begin to retire from the Helicopter Industry. The Airlines were able to make this transition successfully after World War II Veterans retired, and we in the Helicopter Industry should now be looking to do the same.

As for Maui:

The Helicopter Air Terminal (HAT) ramp is unsafe by any standards and everybody knows it. But instead of dealing with the State, it's easier to jump onboard and try to find fault with the pilot, who has been confronted with an unsafe condition ever since the HAT opened in Kahului.

A violation of an experienced pilot, could take him off the flight line for a period of time, forcing the Operator to find a new replacement. The training of the new pilot could never match the years of experience gained by pilot who is being replaced for the violation. The job, whether touring, or mineral exploration or medical evacuation is always going to be demanding. But Helicopter Touring in my experience is the most demanding of all. Flying, choreographing music from 12 disc CD player, editing videos from 4 onboard cameras, narrating, etc. all adds up to a demanding workload. It also carries the highest visibility to the public because of TV news and press coverage after every accident. **The time training new pilots to all the aspects of this job is one of the weakest links in Helicopter Touring Safety.**

Next, I see the biggest problem as the **midair collision**. Radio frequencies no longer adequate for one frequency covering three Islands. Sometimes during the day, radio transmissions are blocked because of the numerous calls. Private pilots using Flight Service as a means of flight following are not on the industry accepted channels. There has also been numerous times when the congestion on a particular frequency is so distracting that turning one's volume down alleviates the disruption, but also opens the possibility of forgetting to turn it back up. We are human and yes sometimes this happens.

I have always believed that each Island should have its own radio (VHF) frequency. Used both over the land and on the shores within 3-5 miles. While transiting between islands make the change at a midpoint between the islands while over the ocean where traffic is minimal and not on the shore where congestion is a known fact.

Another consideration of mine is the south side paved road from the Ulupalakua Ranch to Kaupo Gap of Haleakala Crater, which is very sparsely traveled by automobiles. At times the weather does not permit climbing to the top of the crater and we are forced to transition along the coast or over volcanic landmass instead of using the paved surface of the existing road. One may use this road only when weather provides a 2000'agl ceiling (1500'agl over road, persons and structures and 500' clearance under the existing cloud cover). Why not 300'agl over this road and keep the 500' clearance above? If your family were onboard on this tour, wouldn't you want me to have the option of a **paved road surface in the unlikelyhood of an emergency** instead of the unknown rough terrain or worst yet, having to go into the ocean against its rugged coastline?

This is a condition that has existing since the very beginning of the SFAR's. I know that the road is the safest route, but if violated by the FAA (who has snuck aboard my aircraft), I could loose my flight privileges, risk fines, incur lawyer fees, and have reports in my Aviation Records that could discount me as being the professional that I truly believe myself to be. What experiences do these inspectors have that can compare with my contributions to Aviation Safety in so many different industries throughout the world since 1969?

I believe that a **300'agl over all terrain throughout Hawaii** would be even better (as in the FARs for "congested areas" in other States). Why not here in Hawaii?

One last consideration that should merit your attention is The Waihee Valley. After departing from the Kahului Heliport and heading NW bound, the entrance into the valley requires 2000'agl over the shoreline, with a 500' clearance from clouds above, plus another 1500' separation from the two existing ridges that comprise the valley entrance. There is also a radio frequency change required just prior to entering this valley. With traffic coming out the opposite direction being held to the same restrictions and most likely on a different radio frequency (i.e. Kahului tower), the real potential of a mid-air collision exists, and has since the beginning of the SFAR's.

Situations like this have been placed in our paths by governing agencies that have been motivated by political concerns for sound abatement or so say some. But the fact is **the potential of a mid-air collision is stronger now than ever before**. Safety audits confirm that the longer an unsafe condition exists, the odds of occurrence will increase until it's either corrected or it happens.

As for the pressures of the demanding job we in the Helicopter Tour Industry perform, please believe that we are professionals, with an personal motive to be as safe as we can. But we could also use some help from those agencies that proclaim to be here for that purpose. The FAA term "violation" (to violate) does not equate to providing help in the Helicopter Touring Industry or anywhere for that matter. I believe that things are always going to be changing. But it is up to those in the Departments that govern, to ensure that these changes benefit those who have to work within the system. If it fails, then it becomes an additional hindrance to our already complicated tasks at hand.

Provide us with guidance and the tools that will enhance safety, and treat us with the same respect that is afforded other aviation professionals throughout the world. Thank you.

Sincerely





HELICOPTER NOISE COALITION OF NEW YORK CITY

43

Comments to Docket No. 30086 FAA Study to Reduce Effects of Nonmilitary Helicopter Noise -- September 20, 2000

We submit these comments as an extension of our original comments submitted July 20, 2000. See Appendix for support documentation.

OFFICE OF THE
ATTORNEY GENERAL
NEW YORK
200 SEP 25 PM 2:15

I. Problems with this Study

A. Focus -- The empowering Congressional legislation mandates a study of the effects of nonmilitary noise on individuals and the development of recommendations to reduce same. Consequently the FAA should have asked the public whether helicopter noise constitutes a problem for them, and if so, how. This would entail surveys or interviews of populations in effected areas nationwide, as well as surveying aircraft noise impacts literature. The FAA could then develop recommendations from the universe of possible remedies. Instead the FAA narrows the focus to densely populated areas in the continental U.S. (Hawaii and Alaska have major helicopter noise problems, as do cities of all sizes, as well as individuals in wilderness areas), asks people the type of helicopters that disturb them (people don't necessarily know the mission of the helicopter) but not what the negative impacts are, collects data on helicopter noise but not noise impacts, and restricts proposed remedies to Air Traffic Control procedures. The study as constituted fails to satisfy the Congressional mandate.

B. Procedure -- The absence of a scoping session precluded public input into the study design. Limiting public input to written comments in triplicate discourages public participation. People should be able to submit comments by single written copy as well as by telephone, fax and email. Holding public workshops (August 16 and October 20, 2000) in Washington D. C. also limits public participation as most community members can't afford to travel to Washington -- workshops should be held around the country to maximize participation. Also, starting public workshops at 8:30 am makes it exceedingly difficult for community members to come to Washington for the day, increasing their expense (well-funded industry representatives are not only able to attend meetings in Washington, D. C. but can afford to send many individuals).

C. FAA Bias -- In his opening remarks to the August 16 Public Workshop Mr. Erickson extended a special welcome to Helicopter Associates International attendees (but none to community representatives), told an anecdote about his brother-in-law who purportedly claims to like helicopter noise, and then said he also wants to hear from the

other extreme, i.e. people who object to helicopter noise. These remarks were highly prejudicial. If anyone deserved special welcome it was community representatives, the only people in the room not paid to attend. By limiting his remarks to someone in favor of helicopter noise he disregards the reality that helicopters elicit protest wherever they fly. And he does a disservice to the public by implying that those who object to helicopter noise are extremists. It would have been appropriate for Mr. Erickson to also include anecdotes about severe helicopter impacts. For example, our members have written "Helicopter noise is the most insufferable noise disturbing our peace (in New York City) today" or "Fifteen helicopters an hour over my head make conversation, work, sleep all impossible" or "Many times throughout the day there will be four or even five helicopters whirling so that normal conversation must be suspended, telephone conversation (often work-related) cannot be heard, music is drowned out and it is even impossible to hear the cries of my (baby) daughter if she is in need" (See Appendix). Bias is also suggested by the limitations of the study design and the procedural problems detailed above. That is why HNC advocates that future helicopter noise impact studies be conducted by a neutral scientific body such as the National Academy of Sciences or that the FAA establish a Scientific and Citizens' Advisory Group (including HNC) for this and future studies.

D. FAA Conflict of Interest -- The dual FAA mandates of promoting air travel and protecting the public conflict. The FAA frequently favors the industry while slighting the public. Item: FAA Administrator of the Eastern Region counseling industry members at the Eastern Region Helicopter Association meeting on how to fight community noise activists (as reported in the *Aviation International News* article December 1, 1997), Item: an FAA proposed rule change to increase required heliport size by 400 percent for safety killed due to industry objection, Item: prejudicial statements from FAA officials at public meetings -- minimizing helicopter impacts and maintaining that helicopter users take priority over public members negatively impacted by the traffic. The FAA frequently meets with industry representatives while denying community groups equal access. The FAA helicopter noise metric, Ldn, minimizes impact by averaging events (people hear single events, not averages) and by omitting low frequency helicopter noise. Clearly the FAA favors industry interests at public expense.

II. History of the Helicopter Noise Problem in NYC and Nationwide

A. New York City -- Individuals and community groups have been protesting helicopter noise in NYC for at least the last 20 years, as discussed in the NYC Heliport and Helicopter Master Plan and the Natural Resources Defense Council (NRDC) study "Needless Noise: The Negative Impacts of Helicopter Traffic in NYC and the Tri-State Region". The industry's response has been to move the routes, thereby impacting new neighborhoods. For example, shifting tours to the Hudson River has relocated the noise to communities bordering the river in New York and New Jersey as well as to users of Hudson River Park and Riverside Park. Hovering helicopters are particularly intrusive. Some neighborhoods experience helicopter flights every 2 minutes for hours at a time. Currently helicopter impacts are particularly significant along Manhattan's West Side and

the Bronx, around heliports on the East and West sides of Manhattan, in areas of Brooklyn and Staten Island, as well as throughout all the waterfront parks. Central Park continues to experience overflights. A helicopter frequently hovers over mid-town Manhattan. Media helicopters near the George Washington and Brooklyn Bridges are particularly problematic. Helicopter traffic significantly impacts visitors to the Statue of Liberty and Ellis Islands. Corporate and media helicopters routinely awaken people at 5 am. Media helicopters are in the air over New York City all day whether they are covering a "story" or not; much of what they shoot is trivial or repetitious (bridge traffic reports) and can be filmed from the ground or from stationary JAMCAMS; and they converge over parades and outdoor events in layers, hovering for hours, ruining these events for spectators and disturbing nearby residents.

B. Helicopter Noise Coalition of New York City (HNC) -- HNC organized in February, 1997 after years of helicopter protests by individuals in neighborhoods throughout New York City. We organized city-wide, recognizing that a city-wide problem requires a city-wide solution. In addition to the 5 boroughs of NYC we have members in New Jersey as well as other states, including California and Alaska. HNC is a 501c4 not-for-profit corporation in New York state. Our members consist of individuals and community organizations, block associations, environmental groups, etc. Organizations with memberships exceeding 25,000 people agreed to sign on to our lawsuit to close the East 34th Street Heliport. We are concerned with all negative helicopter impacts -- noise, air pollution, safety threats, as well as threats to national security (helicopters buzzing by the U. N.) and property values. Because there is nowhere in the densely populated, residential city of New York that helicopters can fly without negatively impacting residents we advocate a non-emergency helicopter no-fly zone for New York City, 5 boroughs, land and waterways. HNC is affiliated with the National Helicopter Noise Coalition.

C. Nationwide -- As noted above, HNC has been contacted by communities large and small, nationwide, struggling to combat negative helicopter impacts. San Francisco closed their tour heliport, Alexandria VA banned non-emergency helicopters, communities in upstate New York and on Long Island have limited helicopter landing areas, a resident of Bedford NY sued a helicopter owner, Juneau AK is considering administrative helicopter controls, etc. In addition, the FAA is well aware of the National Parks Service campaign to obtain control over their airspace, and the FAA no-fly regulations over the Grand Canyon and Hawaii wilderness areas in response to public concerns. New Jersey residents are concerned that tour helicopters will seek bases in New Jersey to fly the existing routes over NY and NJ, in response to the NYC ongoing ban of tour helicopters from city heliports. Proliferating helicopter traffic has engendered nationwide protest, hence this study.

III. The History of Our Campaign and Recent NYC Developments

We provide the following description of HNC and NYC helicopter activities so the FAA can appreciate the widespread popular protest against negative helicopter impacts

here, the governmental response to date, and the local government's limited ability to address the problem. (See Appendix for sample HNC mailing to members.)

A. Helicopter Task Forces -- The Manhattan Borough President's Office (MBPO) established a Helicopter Task Force in the 1990's, which continues to the present, to address community helicopter complaints. Meetings are open to all community residents (of all 5 boroughs and elsewhere), elected officials, industry representatives, community boards, agency administrators, the media, etc. The group has addressed tour route changes, the Master Plan, media helicopters, etc., and meets several times a year. A Brooklyn Helicopter Task Force operated out of a Congressional office for some time by invitation only. This group has not met recently and may be quiescent. HNC participates in the MBPO Task Force and attended the Brooklyn group once by invitation. The MBPO participates in the City's Helicopter Oversight Committee. (See Appendix for sample MBPO Task Force meeting agenda.)

B. Meetings and Forums -- HNC has attended and participated in numerous public meetings relevant to helicopter impacts, including: Councilman Miller's Quality of Life meeting, Councilman Eristoff's Helicopter Forum, Brooklyn Borough Board meeting, Mayor Giuliani Town Meeting, Master Plan Technical Advisory Committee and Public Meetings, City Council Helicopter Public Hearing, Community Board 4 Helicopter Forum, meetings of numerous Manhattan and Brooklyn Community Boards, etc. HNC has made presentations to the Tri-State Noise Mitigation Committee, as well as the Noise Pollution Clearinghouse (NPC), the Sutton Area Community (SAC), Manhattan East Community Association (MECA), Manhattan Neighborhood Council, and Friends Against Noisy New York. HNC has met with numerous elected officials including Congress members Maloney and Nadler, Borough President Fields and City Council members Miller, Michels and Vallone. HNC attended the NPC National Conference of Aircraft Noise Activists and participates in the Aircraft Noise Abatement Group of New York and New Jersey, sponsored by the League for the Hard of Hearing. (See Appendix for sample HNC testimony at these meetings.)

The New York City Council Hearing on Aviation Noise held May 5, 1998 resulted from the high level of community concern. The meeting focused almost entirely on helicopter noise. Testimony went on for nearly five hours with many people having to leave before they could testify. Speakers included 3 congress members, 5 state officials, 2 borough presidents, 2 City Council members, 4 government agencies, 6 institutions, 4 community groups, 2 community boards and countless individuals. No one spoke in favor of helicopters. Speaker after speaker chronicled adverse helicopter impacts -- interrupted sleep, speech interference, health and mental health problems, inability to enjoy leisure at home, inability to concentrate on work and learning, etc. (See Appendix for selected testimony of elected officials). HNC is grateful to the many elected officials who work with us to control adverse helicopter impacts.

C. Community Board Resolutions -- Manhattan Community Boards 2, 3, 4, 6, 7, and 8 voted resolutions opposing non-emergency helicopter traffic over their board areas

(all, except board 7 -- tours only), over NYC land and/or waterways (all, except board 7) and to close the East 60th Street and East 34th Street heliports (boards 6 and 8). To quote from the Community Board 4 letter, "The now constant roar of helicopters over our heads is an invasion of our right to be free from loud and unsafe intrusion. Manhattan Community Board No. 4 opposes this continued use of our airspace over NYC by helicopter traffic. We urge you to ban helicopters over New York City and its waterways except for emergency use." (See Appendix for text of sample resolutions.)

D. Lawsuits -- Two lawsuits are germane. When the city established restrictions on use of the East 34th Street heliport, National Helicopter Company sued the city. The city prevailed on most of the provisions (including curfews and a cap on operations) upon appeal, decided February 1998. This case established the city's right to regulate traffic at heliports on city property in its role as landlord. In a separate action, HNC sued New York City to close the East 34th Street heliport as a nuisance. Joining our suit were Congresswoman Maloney and State Assembly members Sanders and Gottfried and a local resident. The following community groups agreed to join our lawsuit: Sutton Area Community, Manhattan East Neighborhood Association, Roosevelt Island Residents Association, Soho Alliance, Turtle Bay Association and the Tribeca Association. The suit was unsuccessful and has not been appealed. (See Appendix for information on these lawsuits.) A related court case of interest is the recent decision upholding the city's right to ban tour seaplanes from the Manhattan marina on city property, upholding the city's right as landlord to protect the public from unnecessary noise.

E. Noise Study -- As part of the HNC lawsuit we conducted a helicopter noise study at the Rivergate apartments, 401 East 34th Street, adjacent to the East 34th Street heliport. Our noise expert obtained single event helicopter noise readings of 86 decibels inside an apartment and 94 decibels on the apartment terrace. The HNC Noise Study was submitted to the FAA with our July 20 submission. (See Appendix) As part of the Heliport and Helicopter Master Plan, NYC also obtained helicopter noise readings at residences, including decibel readings in the 90's on a terrace at Roosevelt Island.

F. Site Visits -- HNC participated in site visits to residences in Manhattan and Brooklyn in conjunction with the FAA, during which helicopter traffic was observed and the identity of vehicles verified by the FAA.

G. Media Coverage of Community Helicopter Protest -- New York City community protest against helicopter impacts has received extensive media coverage including several editorials supporting HNC positions. In addition, community testimony at a Master Plan meeting and the Brooklyn Borough Board meeting were televised and HNC representatives have appeared numerous times on TV. (See Appendix for newspaper articles including "Helicopter Hell.")

H. New York City Heliport and Helicopter Master Plan -- NYC released its Heliport and Helicopter Master Plan in April, 1999. We refer the FAA to this document for a history of helicopter activity and community protest in NYC, as well as a discussion

of areas heavily impacted. The city collected helicopter noise readings at heliports and residences as part of this study, and distributed questionnaires at public meetings (See Appendix).

The Master Plan contains numerous recommendations for helicopter noise abatement and monitoring. The most significant is the city's banning tour helicopters from heliports on city property (which the governor joined to include NYC heliports on state property) - to be phased in over several years. Currently tour helicopters are excluded from the East 34th Street heliport. The plan also established a city helicopter complaint telephone line, a Helicopter Oversight Committee (HOC), on which HNC serves and called for an Electronic News Gathering Operations Manual (in process of development by the Eastern Region Helicopter Council). (See the Appendix for Master Plan recommendations, the HNC critique of the Master Plan, the community questionnaire and a sample HOC agenda).

I. Legislation -- As a response to community distress, members of Congress introduced the Helicopter Noise Control and Safety Act into the House November, 1997. The bill has subsequently been resubmitted in later sessions but has yet to pass. Bills to control helicopter impacts have also been introduced into the New York State Assembly. (See Appendix for these bills.)

J. Letters of Complaint -- HNC members and other members of the community have submitted countless letters of complaint to officials at the federal, state and city levels. (See Appendix for a sample of these letters. HNC can provide all these letters to the FAA upon request.)

K. NRDC "Needless Noise" Study -- The Natural Resources Defense Council released its study "Needless Noise: The Negative Impacts of Helicopter Traffic in New York City and the Tri-State Region." December, 1999. According to this study, the New York City area is the most heavily helicopter-impacted area in the country (if not the world) and is in urgent need of relief. This study surveys the problem in the tri-state region and highlights the gaps in helicopter regulation. We refer the FAA to this document for its discussion of the health and learning effects of aircraft noise and for its excellent recommendations to decrease helicopter noise impacts. NRDC finds that compared to other aircraft, helicopters are underregulated by the FAA -- no quietest (Stage 3) level of noise certification, no minimum flight altitudes, and, generally, no required flight paths. NRDC also laments the inadequacy of helicopter flight data (no count of helicopters in New York City airspace). NRDC calls for helicopter markings identifiable from the ground, helicopter flight paths that avoid residential areas (including a ban on tourist flights over residential neighborhoods), limits for media and other non-essential helicopter traffic, limits on hovering, and no new heliport in the Hudson River Park. Our only disagreement concerns advocating routing helicopters over the Hudson and East Rivers. People live along the banks of the rivers and in the center of the East River, on Roosevelt Island. And the helicopter noise travels inland -- the East River is only 1000 feet wide and flights along the Hudson River can be heard as far

inland as Central Park. Furthermore, tour helicopters ostensibly routed over the Hudson are frequently observed overflying west side Manhattan avenues. Clearly helicopters routed to the East and Hudson Rivers are not away from residential areas. (See Appendix for "Needless Noise" recommendations.)

L. Changes in New York City Helicopter Routes and Heliports -- Due to community protest tour helicopter routes have been changed several times in recent years. Tour routes in Manhattan were changed southward, then north of 86th Street, then off the avenues to the Hudson and East Rivers (September, 1996), then only to the Hudson River (October, 1997). These voluntary route changes are not completely adhered to, can be abrogated at any time, and do not bind new operators. Changing routes merely impacts new neighborhoods (the change to the East and Hudson Rivers created the Helicopter Noise Coalition). Only ocean routing (5 miles from shore) eliminates community impacts.

In addition, New York City closed the East 60th Street heliport February 1998, after years of community protest. Residents continue to call for the closure of the East 34th Street heliport, located hundreds of feet from hospitals and residences. Lower East Side and Brooklyn residents fear impacts from the increased traffic at the Downtown Manhattan heliport when the West 30th Street heliport closes mid 2001.

HNC opposes the establishment of any new heliports in New York City (including one proposed for the Brooklyn Navy Yard) as well as the establishment of vertiports in New York City (which would increase noise impacts, turning Manhattan into an airport).

M. Hotel Campaign -- HNC has contacted New York City hotels requesting that they stop recommending helicopter air tours to their guests. The Peninsula Hotel, among others, has agreed. (See Appendix)

N. Safety -- While this is a noise study, helicopter safety threats are a significant component of public opposition to helicopter traffic. New York City residents fear a major helicopter crash into a high-rise or onto a highway, given the high number of flights in New York city airspace, the possibility of helicopter mechanical failure or pilot error, the small size of our heliports (surrounded by hazards), the heavy traffic over the Hudson River, and the history of accidents here. With the population density in New York City, a helicopter crash into a high-rise or onto a highway could result in a disaster of major proportions and loss of life, not to mention staggering city financial liability and property damage. Residents fear that a helicopter could crash into their apartments and are particularly concerned at helicopters sighted hovering outside apartment windows (not to mention privacy issues). Due to the enormous air traffic over the Hudson River and reliance on visual flight rules members of the Coast Guard tagged the Hudson "suicide alley" and commented on National Public Radio that pilots "need eyes in the backs of their heads."

Past helicopter crashes in the New York City area have included the Pan Am heliport accident killing several, a crash in the East River killing a teenage boy and a crash near the Lincoln Tunnel incinerating numerous cars. More recent events include two crashes at the West 30th Street heliport involving passengers and property damage, and the crash into the East River killing a corporate executive. Crash statistics alone underestimate the danger, as there are also numerous near misses and emergency landings (which can become crashes if no safe landing area is available). For example, there were four helicopter emergency landings during media coverage of a New York City marathon a few years ago and one of our members saw an emergency helicopter landing in a Central Park ball field full of school children. (See Appendix for news articles)

O. Other Adverse Helicopter Impacts -- In addition to noise and safety threats helicopter traffic pollutes the air, poses threats to national security, depresses property value and may cause structural damage to buildings. At the May 5, 1998 City Council Aviation Noise Hearing the NYU Medical School testified to the adverse impact of the East 34th Street heliport fumes upon hospital patients and staff. Residents living near the East 34th Street heliport also suffer from the fumes. The East 34th Street City Environmental Impact Statement also discussed air pollution at this heliport. A scientific institution near the East 60th Street heliport was preparing a lawsuit against fumes from that heliport prior to its closure. The NRDC "Needless Noise" study notes that helicopter engines have no air emissions standards so their emissions go unabated and uncontrolled.

HNC is concerned about the national security threat of unmonitored, low-flying helicopters buzzing the U. N., the Statue of Liberty, the World Trade Center and the Empire State building -- all located in uncontrolled airspace. Social science studies have shown that property in noisy environments loses value. Individuals in New Jersey attribute structural damage at their homes to helicopter-induced vibration. (See Appendix for sample letters)

IV. HNC Recommendations

Given that helicopters engender protest wherever they fly in any numbers, that people find helicopter noise more disturbing than equivalent airplane noise, that voluntary agreements don't work (including "Fly Neighborly" -- there's nothing neighborly about helicopter noise impacts), that all areas where helicopters impact people are "noise sensitive areas", that there is nowhere in our crowded residential city that helicopters can fly without disturbing residents, that helicopters over New York City rivers are not away from residential neighborhoods, that everything done by non-emergency helicopters can be done in other less intrusive ways, that incremental improvement will not eliminate the negative impacts and that helicopter technology is incapable of creating a quiet helicopter that can remain aloft, we recommend:

* A non-emergency helicopter no-fly zone for New York City 5 boroughs, land and waterways and closing city heliports to non-emergency traffic

- * Ocean routing for helicopters
- * Municipal control over municipal airspace (so New York City can ban tour helicopters from our airspace as well as our public heliports)
- * That all New York City airspace -- over both land and waterways -- be regulated airspace
- * FAA release of New York City from its grant assurance 10 year open access requirement at the Downtown Manhattan Heliport (DTM) so the city can enact its tour helicopter ban there immediately and not have to wait until 2007
- * A cap on operations at DTM so this heliport is not overwhelmed with air tour traffic when the West 30th Street heliport closes mid 2001.

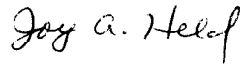
We refer the FAA to our original July 20 submission for our other recommendations including a minimum altitude for helicopters, fixed routes away from residential neighborhoods and parks, limited hovering for media helicopters, media pooling, curfews, stage 3 requirements, helicopter identification markings readable from the ground, a count of helicopters in our airspace, and a system of enforcement for helicopter regulations. We suggest the FAA give particular attention to developing a helicopter noise metric which takes single events and low frequency helicopter noise into account. And we urge the FAA to look beyond Air Traffic Control procedures in its final recommendations and include other remedies such as Congressional passage of the Helicopter Noise Control and Safety Act and passage of the Quiet Communities Act, which would reopen the National Office of Noise Abatement.

Helicopter adverse impacts are particularly invidious as there is no escape. Since helicopters are highly mobile -- flying (practically) anywhere, any time -- citizens can't escape by moving since helicopter traffic can follow residents wherever they relocate. In addition, helicopter noise increasingly pervades outdoor recreational areas in cities and the wilderness, turning our entire country into a helicopter-impacted area. This is unacceptable. Effective helicopter regulation is urgently needed both in New York City and nationwide. Noise is the number one complaint to the Mayor's quality-of-life complaint line. Helicopter noise is a significant offender.

New York City residents will not rest until helicopter intrusions and health and safety threats are eliminated from our lives. For in the final analysis, airspace belongs to all citizens and not to the aircraft industry. The aircraft industry's "Freedom to Fly" campaign is being countered by a "Freedom to Live, Work and Recreate in Our Communities Free From Negative Helicopter Impacts" national movement. We proclaim our need for quiet skies. For this protection we require national helicopter regulation.

It is an unfair burden on community members to suffer invasive negative helicopter impacts. It is doubly unfair that we must spend our lives fighting to eliminate them. The time for governmental action to eliminate negative helicopter impacts is long overdue.

Thank you,

A handwritten signature in cursive script that reads "Joy A. Held".

Joy A. Held

President

212-628-3126 tel and FAX